REGISTER OF CLASSIFICATION DECISIONS

Title of Publication:	Swank No. 101, August 2005
Other Known Title:	Not Stated
Format:	Magazine
Director/Author:	Not Applicable
Producer/Publisher:	Swank Publications Inc.
Country of Origin:	USA
Language:	English
Applicant:	Secretary for Internal Affairs
Distributor:	MRC Distributors Ltd
Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
Descriptive Note:	Not Applicable.
Display Conditions:	That when the publication is on public display, the classification given to the publication must be shown by way of a label issued in accordance with a direction under section 36A(2); and That the label must be affixed to the package in which the publication is displayed so that the classification is brought to the attention of purchasers; and that the publication must be publicly displayed only in a sealed package.
Date of entry in Register:	21 July 2006
Date of direction to issue a label:	19 July 2006
OFLC No:	600763
Excisions:	Not Applicable

Reasons for excisions:

Not Applicable

Summary of reasons for classification:

The magazine entitled *Swank No. 101 August 2005* is classified as:
Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

The magazine focuses on the explicit depiction and description of sexual activity between men and women. It includes articles, photographs, and advice columns which generally present a positive attitude toward sex and adult sexual relationships. It does, however, also include a number of advertisements of a more degrading tone, presenting women as readily available commodities able to be used for the purposes of male sexual gratification. These mixed messages, and the objectifying of women for sexual purposes, are likely to be harmful to young persons who are developing their views on sex and relationships. Restricting the magazine to adults over the age of 18 years will prevent this likely injury.

This restriction interferes with the right to freedom of expression as set out in s14 of the New Zealand Bill of Rights Act 1990. This limitation is demonstrably justified in a free and democratic society, given the likely injury to the public good should it be available to children and young people.